

## REMARKS

Reconsideration is respectfully requested in view of the foregoing amendments and following remarks.

### Status of the Claims

Claims 1-23 were pending.

Claims 1, 2, 5-7, 12, 13, 16-18, and 23 were rejected under 35 U.S.C.

§ 103(a) as allegedly being unpatentable over U.S. Patent No. 3,211,362 to Laskey et al. ("Laskey") in view of JP 61200391 A to Kushiro et al. ("Kushiro"). Claims 3 and 4 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Laskey in view of Kushiro and further in view of U.S. Patent No. 5,626,188 to Dewar et al. ("Dewar"). Claims 4 and 15 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Laskey in view of Kushiro and further in view of U.S. Patent No. 3,608,629 to Cowans et al. ("Cowans"). Claims 8, 10, 11, 19, 21, and 22 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Laskey in view of Kushiro and further in view of U.S. Patent No. 3,151,672 to Edmund et al. ("Edmund"). Claims 9 and 20 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Laskey in view of Kushiro and further in view of U.S. Patent No. 4,615,384 to Shimada et al. ("Shimada").

### Claims 1-23 Are Patentably Distinct From Laskey Alone Or In Combination With Kushiro And/Or Dewar And/Or Cowans And/Or Edmund And/Or Shimada

The rejection of claim 1 is respectfully traversed. As explained more fully below, the requirements for such a rejection are not met since the cited references fail to

teach, disclose, or suggest “the medium passage being arranged so as to restrain transmission of heat of the discharged gas in the gas passage to the cooling medium in the first cooling chamber.” Specifically, Applicant’s claim 1 recites:

“1. A compressor, which is cooled by cooling medium, comprising:

a compression chamber in which gas is compressed and then discharged therefrom;

a first cooling chamber, in which the cooling medium flows, provided so as to adjoin the compression chamber for cooling the gas in the compression chamber; and

a second cooling chamber adjoining the first cooling chamber, the second cooling chamber having a gas passage in which the discharged gas flows and a medium passage in which the cooling medium flows, the medium passage being arranged so as to restrain transmission of heat of the discharged gas in the gas passage to the cooling medium in the first cooling chamber.”

Laskey is directed to superchargers of the type commonly called turbochargers. Laskey’s turbocharger includes a compressor rotor (26), an intercooler assembly (28), and water passages (120) and (122). [Laskey, Fig. 1, col. 2, lines 60-64 and col. 4, lines 32-33]. The water passages include a first pass (120) and a second pass (122). [Laskey, Fig. 1, col. 4, lines 43-46].

According to the Office Action, Laskey’s compressor rotor (26) corresponds to the “compressor” recited in Applicant’s claim 1, intercooler assembly (28) corresponds to the “second cooling chamber” recited in Applicant’s claim 1, and water

passages (120) and (122) correspond to the “medium passage” recited in Applicant’s claim 1. [7/10/07 Office Action at p. 2].

Laskey discloses that “the intercooler is of a spiral configuration and incorporates passages for the compressed air in **heat exchange relation** with coolant from the normal engine cooling system to provide a high efficiency **heat exchange apparatus**.” [Laskey, col. 1, lines 67-72 (emphasis added)]. The intercooler “is of the two pass water and one pass air type. The main body of the intercooler assembly is formed from a single tube formed by inner and outer sheets (108) and (110).” [Laskey, col. 4, lines 13-16]. Laskey teaches that:

“When the unit is in operation, water from any suitable source, such as the conventional engine cooling system, is supplied to an inlet fitting (112) and spirals inwardly to the center of the intercooler through the first pass (120). Since the ridges (124) and (126) are omitted from the innermost section of the intercooler, the water, when reaching this area, enters the second pass (122) and spirals outwardly through the intercooler, returning to the engine cooling system through an outlet fitting (114).” [Laskey, col. 4, lines 40-48]

Thus, Laskey discloses a heat exchange apparatus with positive transmission of heat. Laskey does not teach, disclose, or suggest “the medium passage being arranged so as to restrain transmission of heat of the discharged gas in the gas passage to the cooling medium in the first cooling chamber” as recited in Applicant’s claim 1.

The Office Action admits that Laskey does not teach a first cooling chamber. (7/10/07 Office Action, p. 3]. For that element, the Office Action looks to

Kushiro. Without commenting on that assertion, we note that there is no assertion and Applicant cannot find that Kushiro teaches, discloses, or suggests “the medium passage being arranged so as to restrain transmission of heat of the discharged gas in the gas passage to the cooling medium in the first cooling chamber” as recited in Applicant’s claim 1.

Additionally, we note that there is no assertion and Applicant cannot find that Dewar, Cowans, Edmund nor Shimada teaches, discloses or suggests “the medium passage being arranged so as to restrain transmission of heat of the discharged gas in the gas passage to the cooling medium in the first cooling chamber” as recited in Applicant’s claim 1.

Accordingly, as Applicant cannot find “the medium passage being arranged so as to restrain transmission of heat of the discharged gas in the gas passage to the cooling medium in the first cooling chamber” as recited in Applicant’s claim 1 in Laskey, Kushiro, Dewar, Cowans, Edmund nor Shimada, independent claim 1 is respectfully asserted to be patentably distinct from the cited references. For at least similar reasons, dependent claims 2-23 are also believed to be in condition for allowance.

Applicant has chosen in the interest of expediting prosecution of this patent application to distinguish the cited documents from the pending claims as set forth above. These statements should not be regarded in any way as admissions that the cited documents are, in fact, prior art. Additionally, Applicant has not specifically addressed the dependent claims. Applicant respectfully submits that the independent claims, from

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which they depend, are in condition for allowance as set forth above. Accordingly, the dependent claims also are in condition for allowance. Applicant, however, reserves the right to address rejections of the dependent claims in the future as appropriate.

### CONCLUSION

This application is respectfully asserted to be in condition for allowance.

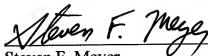
An early and favorable examination on the merits is requested. In the event that a telephone conference would facilitate the examination of this application in any way, the Examiner is invited to contact the undersigned at the number provided.

THE COMMISSIONER IS HEREBY AUTHORIZED TO CHARGE ANY ADDITIONAL FEES WHICH MAY BE REQUIRED FOR THE TIMELY CONSIDERATION OF THIS AMENDMENT UNDER 37 C.F.R. §§ 1.16 AND 1.17, OR CREDIT ANY OVERPAYMENT TO DEPOSIT ACCOUNT NO. 13-4500, ORDER NO. 5095-4085.

Respectfully submitted,  
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